



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

25 March 2011

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "76 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

APC = Air pollution control	OEHA = Office of Environmental Health Hazard Assessment
APWRA = Altamont Pass Wind Resource Area	OEPA = Ohio Environmental Protection Agency
ATCM = Airborne toxic control measure	OFHPGB = Office of Federal High-Performance Green Buildings
BAAQMD = Bay Area Air Quality Management District	OSHSB = Occupational Safety and Health Standards Board
CAA = Clean Air Act	OTC = Ozone Transportation Commission
CARB = California Air Resources Board	PM ₁₀ = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less
CASAC = Clean Air Scientific Advisory Committee	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CCR = <i>California Code of Regulations</i>	PSD = Prevention of Significant Deterioration
CEQ = Council on Environmental Quality	RCRA = Resource Conservation and Recovery Act
CFR = <i>Code of Federal Regulations</i>	RIN = Regulatory Identification Number
CISWI = Commercial and industrial solid waste incineration	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
CO ₂ = Carbon dioxide	SARA = Superfund Amendment and Reauthorization Act
CRNR = California Regulatory Notice Register	SCAQMD = South Coast Air Quality Management District
DAPC = Division of Air Pollution Control	SIP = State Implementation Plan
DAR = Division of Administrative Rules	SJRWMD = St. Johns River Water Management District
DoE = U.S. Department of Energy	SO _x = Sulfur oxide
DSW = Division of Solid Waste	tpy = Tons per year
EPA = U.S. Environmental Protection Agency	TRI = Toxic Release Inventory
FAW = <i>Florida Administrative Weekly</i>	TRU = Transport refrigeration unit
FDEP Florida Department of Environmental Protection	UAC = Utah Administrative Code
FR = <i>Federal Register</i>	U.S. = United States
GHG = Greenhouse gas	VAC = Virginia Administrative Code
GSA = General Services Administration	Va.R. = <i>Virginia Register</i>
HAP = Hazardous air pollutant	VCAPCD = Ventura County Air Pollution Control District
hp = Horsepower	VCP = Virginia Coastal Zone Management Program
MMBtu/hr = Million British thermal units per hour	VDEQ = Virginia Department of Environmental Quality
NAAQS = National Ambient Air Quality Standards	VOC = Volatile organic compound
NASA = National Aeronautics and Space Administration	VPDES = Virginia Pollution Discharge Elimination System
NEPA = National Environmental Policy Act	WFF = Wallops Flight Facility
NESHAP = National Emission Standards for Hazardous Air Pollutants	
NO _x = Nitrogen oxide	
NSR = New Source Review	
NSRL = No significant risk level	
NWP = Nationwide permit	
OAC = Ohio Administrative Code	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032511-1	Air GHGs	03/18/2011	76 FR 14812	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Final Regulation Extending the Reporting Deadline for Year 2010 Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule [40 CFR Part 98]</p> <p>Extends the reporting deadline for year 2010 data required under the Mandatory Reporting of Greenhouse Gases Rule until 09/30/2011. Only changes the deadline for reporting for 2011; it does not change the reporting deadline for future years and does not change what data must be reported. Effective 03/18/2011. [RIN 2060-AQ87]</p>	
FED032511-2	Air GHGs	03/21/2011	76 FR 15249	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Deferral for CO₂ Emissions From Bioenergy and Other Biogenic Sources Under the Prevention of Significant Deterioration and Title V Programs: Proposed Rule [40 CFR Parts 51, 52, 70, and 71]</p> <p>Proposes to defer (for 3 years) the application of PSD and Title V permitting requirements to biogenic CO₂ emissions from bioenergy and other biogenic stationary sources. Comments due 05/05/2011. Hearing is scheduled for 04/05/2011 in the Washington, D.C., area. [RIN 2060-AQ79]</p>	
FED032511-3	Air HAPs	03/21/2011	76 FR 15308	Notice	<p>U.S. Environmental Protection Agency</p> <p>Completion of the Requirement To Promulgate Emission Standards</p> <p>Announces that EPA has completed the emission standards required by Sections 112(c)(3) and (k)(3)(B) and 112(c)(6) of the CAA. These sections require that EPA promulgate emission standards for certain sources of HAPs.</p>	
FED032511-4	Air NESHAP–Boilers	03/21/2011	76 FR 15266	Notice	<p>U.S. Environmental Protection Agency</p> <p>National Emission Standards for Hazardous Air Pollutants; Notice of Reconsideration [40 CFR Parts 60 and 63]</p> <p>Announces initiation of a reconsideration process with respect to certain aspects of the following:</p> <ul style="list-style-type: none"> NESHAP for new and existing sources for the Major Source Industrial, Commercial, and Institutional Boilers and Process Heaters NESHAP for new and existing sources for Area Source Industrial, Commercial, and Institutional Boilers Standards of performance for new CISWI Units and emission guidelines for existing CISWI Units [RINs 2060-AQ25; 2060-AM44; 2060-AO12] 	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032511-5	Air NESHAP– Boilers	03/21/2011	76 FR 15554	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers [40 CFR Part 63]</p> <p>Promulgates NESHAPs for the following area source categories:</p> <ul style="list-style-type: none"> Industrial boilers Commercial and institutional boilers <p>Effective 05/20/2011. [RIN 2060-AM44]</p>	
FED032511-6	Air NESHAP– Boilers, Heaters	03/21/2011	76 FR 15608	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters [40 CFR Part 63]</p> <p>Promulgates NESHAP for the following major source categories:</p> <ul style="list-style-type: none"> Industrial boilers Commercial and institutional boilers <p>Effective 05/20/2011. [RIN 2060-AQ25]</p>	
FED032511-7	Air NO _x and SO _x	03/25/2011	76 FR 16768	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>Science Advisory Board Staff Office; Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee (CASAC)</p> <p>Announces a public teleconference to conduct a quality review and approve draft reports from the CASAC NO_x-SO_x Panel and the CASAC Air Monitoring and Methods Subcommittee. Teleconference is scheduled for 05/12/2011.</p>	
FED032511-8	Air Subsurface Vapor Intrusion	03/17/2011	76 FR 14660	Notice	<p>U.S. Environmental Protection Agency</p> <p>Public Comment on the Development of Final Guidance for Evaluating the Vapor Intrusion to Indoor Air Pathway From Contaminated Groundwater and Soils (Subsurface Vapor Intrusion Guidance)</p> <p>Announces an opportunity for public comment on the development of a final guidance entitled: <i>Evaluating Vapor Intrusion to Indoor Air Pathway from Contaminated Groundwater and Soil</i> (Subsurface Vapor Intrusion Guidance). A draft of the Subsurface Vapor Intrusion Guidance was released for public comment in November 2002. Listening session is scheduled for 04/11/2011. Comments due 05/14/2011.</p>	
FED032511-9	Commercial Space Transportation	03/18/2011	76 FR 15041	Notice Meeting	<p>Federal Aviation Administration; Department of Transportation</p> <p>Commercial Space Transportation Advisory Committee–Public Teleconference</p> <p>Announces a public teleconference to review the issues discussed at the 02/17/2011 Space Transportation Operations Working Group teleconference, which include the following:</p> <ul style="list-style-type: none"> Orbital debris and the costs of compliance with orbital debris standards Concept of Operations draft report on reentry debris Space operations framework International Code of Conduct being drafted by the European Union <p>Agenda to be posted. Comments due 03/30/2011. Teleconference is scheduled for 04/05/2011.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032511-10	Commercial Space Transportation Grants Program	03/18/2011	76 FR 15039	Notice	<p>Federal Aviation Administration; Department of Transportation</p> <p>Commercial Space Transportation Grants Program</p> <p>Announces solicitation of Fiscal Year 2011 grant proposals to continue the development of a Commercial Space Transportation infrastructure system. Provides the following target dates:</p> <ul style="list-style-type: none"> ▪ Submission Open Period Opens: 03/18/2011 ▪ Submission Open Period Closes: 05/13/2011 ▪ Review and Approval Period: 05/16/2011 to 06/30/2011 ▪ Announcement: 07/15/2011 	
FED032511-11	Energy Critical Materials	03/24/2011	76 FR 16621	Notice	<p>U.S. Department of Energy</p> <p>Critical Materials Strategy Request for Information</p> <p>Announces availability of request for information from stakeholders regarding rare earth elements and other materials used in energy technologies to support analyses updating its 2010 Critical Materials Strategy.</p>	
FED032511-12	Energy Energy Efficiency	03/14/2011	76 FR 13617	Notice	<p>Office of Government-wide Policy, General Services Administration</p> <p>Office of Federal High-Performance Green Buildings (OFHPGB); Notice of GSA Bulletin OFHPGB 2011-OGP-1</p> <p>Announces availability of GSA Bulletin OFHPGB 2011-OGP-1. Bulletin informs agencies incurring expenses for energy efficient building investments made in government-owned buildings about useful information regarding GSA's Policy on Energy Efficient Commercial Buildings Tax Deduction. Effective 03/14/2011.</p>	
FED032511-13	Energy Policy	03/14/2011	76 FR 13607	Notice	<p>U.S. Department of Energy</p> <p>Availability of Department of Energy-Quadrennial Technology Review Framing Document and Request for Public Comment</p> <p>Announces availability of a Quadrennial Technology Review of energy technology policies and programs. Document describes the following:</p> <ul style="list-style-type: none"> ▪ Nation's energy landscape and challenges ▪ Important research, development, and demonstration policy choices to be made ▪ Current status of energy technologies and technology program goals <p>Comments due 04/15/2011.</p> <p>Further information is available on the DoE website.</p>	
FED032511-14	Natural Resources	02/16/2011	76 FR 9174	Notice	<p>U.S. Army Corps of Engineers; U.S. Department of Army</p> <p>Proposal To Reissue and Modify Nationwide Permits</p> <p>Announces a request for comment on several issues, including the following:</p> <ul style="list-style-type: none"> ▪ Reissuance of the existing NWPs, general conditions, and definitions, with some modifications ▪ All aspects of proposed NWPs <p>Comments due 04/18/2011. [RIN 0710-ZA05]</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032511-15	Natural Resources	03/23/2011	76 FR 16443	Notice	<p>U.S. Geological Survey; Department of the Interior</p> <p>Proposed Information Collection: Strengthening the Scientific Understanding of Climate Change Impacts on Freshwater Resources of the United States</p> <p>Announces availability of a draft report to Congress titled, "Strengthening the Scientific Understanding of Climate Change Impacts on Freshwater Resources of the United States" for public review and comment. Comments due 04/22/2011.</p>	
FED032511-16	Natural Resources NEPA	03/23/2011	76 FR 16391	Notice	<p>Council on Environmental Quality</p> <p>Call for Innovative National Environmental Policy Act (NEPA) Pilot Project Proposals</p> <p>Announces invitation to the public and federal agencies to nominate innovative pilot projects that accomplish the NEPA goals of transparency and informed decision-making in a more timely and effective manner. Nominations due 06/15/2011. Further information is available on CEQ's website.</p>	
FED032511-17	Natural Resources Renewable Fuels	03/22/2011	76 FR 15855	Notice	<p>U.S. Environmental Protection Agency</p> <p>Denial of Petitions for Reconsideration of Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program [40 CFR Part 80]</p> <p>Announces availability of EPA's decision to deny petitions for reconsideration to stay implementation of the rule (75 FR 14670, 03/26/2010) that finalized cellulosic, biomass-based diesel, advanced biofuel, and renewable fuel standards that applies to all gasoline and diesel produced or imported in 2010.</p>	
FED032511-18	Radiation Dose Reconstruction	03/25/2011	76 FR 16787	Notice Meeting	<p>Centers for Disease Control and Prevention; Department of Health and Human Services</p> <p>Subcommittee for Dose Reconstruction Reviews, Advisory Board on Radiation and Worker Health, National Institute for Occupational Safety and Health</p> <p>Announces a meeting to discuss the following items:</p> <ul style="list-style-type: none"> Selection of individual radiation dose reconstruction cases Dose reconstruction cases under review Dose reconstruction quality management and assurance activities <p>Meeting is scheduled for 04/18/2011 in Hebron, Kentucky.</p>	
FED032511-19	Waste Solid Waste	03/21/2011	76 FR 15456	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Identification of Non-Hazardous Secondary Materials That Are Solid Waste [40 CFR Part 241]</p> <p>Final rule identifies which nonhazardous secondary materials, when used as fuels or ingredients in combustion units, are "solid wastes" under RCRA. This RCRA solid waste definition will determine whether a combustion unit is required to meet the emissions standards for solid waste incineration units or the emissions standards for commercial, industrial, and institutional boilers. Also finalizes a definition of traditional fuels. Effective 05/20/2011. [RIN 2050-AG44]</p>	

1.2 Other News and Developments

1.2.1 Ozone Transportation Commission to Reduce VOC Limits in Paint Thinners and Solvents

On 16 March 2011, the OTC announced its intention to reduce VOC limits in paint thinners and solvents. The announcement came after publication of a draft [white paper](#) in which OTC analyzed the impacts on air quality and user safety of using, storing, and disposing of paint thinners and solvents. OTC discussed how to effectively regulate the VOCs emitted from paint thinners and solvents and recommended adopting a rule similar to a rule passed by the California Air Resources Board (CARB) in 2009.

The [Paint Thinner and Multipurpose Solvent rule](#) adopted by CARB on 24 September 2009 set a limit of 30-percent VOC by weight for paint thinners effective 31 December 2010 and a limit of 3-percent VOC by weight effective 31 December 2013. Similarly, the OTC rule would add a new source category, "Paint Thinners and Multipurpose Solvents," to its Consumer Products Rule and limit the weight percent of VOCs in paint thinners and solvents to 3 percent by 01 January 2014. The rule would be effective at the point of manufacture.

The OTC advises EPA about transport issues development and the implementation of regional reductions in ground-level ozone in the northeastern U.S. The OTC represents 12 states: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia, as well as the District of Columbia. More information about the OTC and the proposed rule can be found on the OTC [website](#).

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 20 April
- 18 May
- 15 June
- 20 July
- 17 August
- 21 September
- 19 October
- 16 November

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL032511-1	Air SIP-Ozone	03/17/2011	76 FR 14611	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Alabama; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [40 CFR Part 52]</p> <p>Proposes to approve the Alabama SIP. Alabama certified that its SIP contains provisions that ensure the 1997 8-hour ozone NAAQS is implemented, enforced, and maintained in Alabama. Alabama's infrastructure submission addressed the required infrastructure elements for the 1997 8-hour ozone NAAQS. Comments due 04/18/2011.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032511-1	Air Diesel Engines	02/23/2011	CARB Website	Notice	<p>Air Resources Board</p> <p>Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles [13 CCR 2025 et seq]</p> <p>Announces the release of a compliance tool for owners and operators of vehicle fleets that are subject to the Truck and Bus Rule. Intended to facilitate evaluation of fleets for considering compliance strategies.</p>	
CA032511-2	Air SIP-Ozone, PM _{2.5}	03/17/2011	76 FR 14616	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; State of California; Interstate Transport of Pollution; Significant Contribution to Nonattainment and Interference With Maintenance Requirements [40 CFR Part 52]</p> <p>Proposes to approve California's SIP revision for the 1997 8-hour ozone and 1997 PM_{2.5} NAAQS as meeting the CAA requirements to prohibit emissions that will contribute significantly to nonattainment of the NAAQS in any other state and to prohibit emissions that will interfere with maintenance of these standards by any other state. Comments due 04/18/2011.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032511-3	Air TRU	03/18/2011	CRNR 2011, 11z, p. 404	Final Rule	<p>Air Resources Board</p> <p>Transport Refrigeration Units ATCM [13 CCR 2477]</p> <p>Amendments include the following:</p> <ul style="list-style-type: none"> Allow the owners of model year 2003 TRU in the 25-hp and greater category and model year 2003 TRU and 2004 TRU in the less-than-25-hp category to use the low-emission TRU in-use standard. Clarify that the operational life of flexibility engines installed before the effective date of these amendments is 7 years from the year of engine manufacture. <p>Effective 03/07/2011.</p>	
CA032511-4	Occupational Safety Machinery and Equipment	03/18/2011	CRNR 2011, 11z, p. 407	Final Rule	<p>Occupational Safety and Health Standards Board</p> <p>Machinery and Equipment [8 CCR 3328]</p> <p>Establishes requirements for machinery and equipment to be designed, operated, and maintained to ensure employee safety including requiring machinery and equipment components to be designed, and secured, or covered (or both) to minimize hazards caused by breakage, release of mechanical energy, loosening, or falling unless the employer can demonstrate doing so would be inconsistent with manufacturer's recommendations or would otherwise impair employee safety. For more information see the OSHSB website. Effective 04/06/2011.</p>	
CA032511-5	Species Golden Eagle	03/18/2011	CRNR 2011, 11z, p. 384	Notice	<p>Department of Fish and Game</p> <p>Monitoring of Golden Eagle</p> <p>Proposes research on golden eagles to monitor occupancy, reproduction, and movement of the eagle throughout its range in California. If the Department determines that the proposed research is consistent with the requirements for take of Fully Protected birds, it would issue the authorization to carry out the proposed activities on or after 04/18/2011.</p>	
CA032511-6	Species Golden Eagle	03/18/2011	CRNR 2011, 11z, p. 385	Notice	<p>Department of Fish and Game</p> <p>Research on Population Dynamics of Golden Eagle</p> <p>Proposes research on golden eagles to refine eagle collision hazard maps for wind turbine repowering in the APWRA and to investigate eagle population dynamics in the Diablo Range. If the Department determines that the proposed research is consistent with the requirements for take of Fully Protected birds, it would issue the authorization to carry out the proposed activities on or after 04/18/2011.</p>	
CA032511-7	Species Western Snowy Plover	03/22/2011	76 FR 16046	Proposed Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for the Pacific Coast Population of the Western Snowy Plover [50 CFR Part 17]</p> <p>Proposes to revise the designated critical habitat for the Pacific Coast population of the Western Snowy Plover by increasing the existing critical habitat to a total of approximately 16,777 acres in California. Comments due 05/23/2011. Request for public hearing due 05/06/2011. [RIN 1018-AX10]</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032511-8	Toxic Substances Proposition 65	03/18/2011	CRNR 2011, 11z, p. 386	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity Publishes updated list of substances known to the state to cause cancer or reproductive toxicity .	
CA032511-9	Toxic Substances Proposition 65	03/18/2011	CRNR 2011, 11z, p. 404	Notice	Office of Environmental Health Hazard Assessment Chemicals Listed Effective 3/22/2011 as Known to the State of California to Cause Cancer Announces the intention to list the following substances as known to the state to cause cancer: <ul style="list-style-type: none"> ▪ MON 4660 ▪ MON 13900 ▪ Pymetrozine Additional information is on the OEHHA website . Effective 03/22/2011. Substances are used in agriculture.	
CA032511-10	Toxic Substances Proposition 65– Chlorothalonil	03/18/2011	CRNR 2011, 11z, p. 380	Proposed Rule	Office of Environmental Health Hazard Assessment Specific Regulatory Levels Posing No Significant Risk (NSRL) for Chlorothalonil [27 CCR 25705(b)] Proposes an NSRL for chlorothalonil, which is a substance listed as known to cause cancer in the state of California. For further information see the OEHHA website . Comments due 05/02/2011. Chlorothalonil is used as a fungicide.	

2.2.1 California Air Districts Regulatory Review

2.2.1.1 *Antelope Valley Air Quality Management District*

No regulatory items of interest were indentified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.1.2 *Bay Area Air Quality Management District*

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Bay Area Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAB032511-1	Air Natural Gas-fired Devices	03/17/2011	BAAQMD Website	Notice	Bay Area Air Quality Management District Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters [Regulation 9, Rule 7] Announces extensions of compliance dates for new and existing natural gas fired devices that are rated between 2 and 10 MMBTU/hr. Draft text is available for review. Comments due 04/01/2011.	

2.2.1.3 *Eastern Kern Air Pollution Control District*

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Eastern Kern Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAE032511-1	Air SIP-PM ₁₀	03/21/2011	76 FR 15219	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM₁₀; Technical Amendment [40 CFR Part 81]</p> <p>Finalizes the following technical amendments to 40 CFR Part 81 to reflect the final actions published by EPA on 11/12/2008:</p> <ul style="list-style-type: none"> ▪ Designate East Kern as serious nonattainment for PM₁₀. ▪ Designate Indian Wells Valley as attainment. ▪ Include a portion of Kern County under the San Joaquin Air Basin designation of attainment. <p>Effective 03/21/2011</p>	

2.2.1.4 *Mojave Desert Air Quality Management District*

No regulatory items of interest were indentified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.1.5 *South Coast Air Quality Management District*

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS032511-1	Air NSR-PM _{2.5}	03/15/2011	SCAQMD Website	Proposed Rule	<p>South Coast Air Quality Management District</p> <p>Federal PM_{2.5} New Source Review [Rule 1325]</p> <p>Proposes to implement applicability, emissions calculations, and source test methods requirements under the federal PM_{2.5} NSR Program. The proposed rule applies to the following:</p> <ul style="list-style-type: none"> ▪ New sources with a potential to emit of 100 tpy or more of PM_{2.5} ▪ Any source with an emissions increase of 100 tpy or more of PM_{2.5} ▪ Major modification of a major stationary source <p>Draft text is available for review. Meeting is scheduled for 03/22/2011 in Diamond Bar, California. Comments due 03/29/2011. Hearing is scheduled for 05/06/2011 in Diamond Bar, California.</p>	

2.2.1.6 *Ventura County Air Pollution Control District*

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV032511-1	Air PSD	03/17/2011	VCAPCD Website	Proposed Rule	Ventura County Air Pollution Control District New Source Review--Prevention of Significant Deterioration [Rule 26.13] Proposes a new PSD rule that allows VCAPCD to issue PSD permits for GHG emitting sources. Rule follows EPA's model rule for adopting a PSD GHG program. Draft rule and staff report are available for review. This action will repeal existing Rule 26.10 that requires EPA to issue PSD permits. Workshop on 04/26/2011 in Ventura, California.	

2.3 Colorado State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Colorado.

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL032511-1	Waste Landfill Sinkholes	03/25/2011	FAW Notice #9755307	Notice Meeting	Florida Department of Environmental Protection Landfill Sinkhole Technical Advisory Group Announces a teleconference to discuss how FDEP will evaluate sinkhole potential during the landfill permitting process, and to recommend appropriate stabilization methods if necessary. Teleconference is scheduled for 04/05/2011.	
FL032511-2	Water SJRWMD	03/25/2011	FAW Notice #9766947	Notice Meeting	St. Johns River Water Management District Governing Board Meeting Announces a meeting to discuss regulatory and non-regulatory matters. Agenda to be posted prior to meeting. Meeting is scheduled for 04/12/2011 in Palatka, Florida.	
FL032511-3	Water SJRWMD	03/25/2011	FAW Notice #9767044	Notice Meeting	St. Johns River Water Management District Projects and Land Committee Announces a meeting to discuss agenda items, followed by Committee recommendations to be approved by the Full Governing Board. Agenda (included on the Governing Board Meeting agenda) to be posted prior to meeting. Meeting is scheduled for 04/11/2011 in Palatka, Florida.	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA032511-1	Air SIP-VOCs	03/17/2011	76 FR 14602	Proposed Rule	<p>U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Revisions To Control Volatile Organic Compound Emissions for Surface Coatings and Graphic Arts [40 CFR Part 52]</p> <p>Proposes to approve SIP revisions for control of VOCs adopted by Louisiana on 06/20/2009 and 08/20/2010 and submitted to EPA on 08/31/2010. Also proposes to approve a SIP revision for control of emission of organic compounds that was proposed by Louisiana on 01/20/2011. Because Louisiana has not yet finalized the 01/20/2011 revision to the VOC rules, EPA proposes to approve this SIP revision in parallel with Louisiana's rulemaking activities. Comments due 04/18/2011</p>	

2.6 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Maryland.

2.7 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Mississippi.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS032511-1	Air PSD-PM _{2.5}	03/22/2011	Mississippi Administrative Bulletin #17621	Proposed Rule	<p>Mississippi Department of Environmental Quality Regulations for the Prevention of Significant Deterioration of Air Quality [APC-S-5]</p> <p>Proposes to incorporate by reference updated relevant portions of federal regulations as promulgated in 40 CFR 51.166, 52.21, and 52.22 to make the state PSD permitting program consistent with federal requirements for PM_{2.5}. Proposed amendments would incorporate the following:</p> <ul style="list-style-type: none"> Federal provisions related to implementation of the NSR program for PM_{2.5} (73 FR 28321, 05/16/2008) PM_{2.5} increments, significant impact levels, and significant monitoring concentration (75 FR 64864, 10/20/2010) <p>Public hearing is scheduled for 04/21/2011 in Jackson, Mississippi. Comments due 04/21/2011.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS032511-2	Air SIP-Ozone	03/17/2011	76 FR 14631	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [40 CFR Part 52]</p> <p>Proposes to approve Mississippi's SIP demonstrating that Mississippi meets the requirements of Sections 110(a)(1) and (2) of the CAA for the 1997 8-hour ozone NAAQS. Mississippi certified that the SIP contains provisions that ensure the 1997 8-hour ozone NAAQS are implemented, enforced, and maintained in Mississippi. Comments due 04/18/2011.</p>	

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH032511-1	Air Permitting-GHG	03/21/2011	DAPC Website-What's New	Final Rule	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Permits to Install for Major Stationary Sources and Major Modifications of Sources Emitting Greenhouse Gases [OAC 3745-31-34]; Title V Permits for Major Sources Emitting Greenhouse Gases [OAC 3745-77-11]</p> <p>Adopts new rules for Ohio that are equivalent to but no more stringent than the federal GHG Tailoring Rules. Further details regarding the final rules, including the public notice of adoption, are available on the OEPA website. Effective 03/31/2011.</p>	
OH032511-2	Air SIP-Lead	03/16/2011	DAPC Website-What's New	Proposed Rule	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Lead Emissions [OAC 3745-71]</p> <p>Proposes updates to the following:</p> <ul style="list-style-type: none"> Lead emission regulations Measurement of the lead ambient air quality standards Related changes in OAC 3745-18-03, 3745-21-04, 3745-25-01, and 3745-25-02 to update air quality standards and attainment dates <p>Further details regarding the proposed rules, including the synopsis and public notice, are available on the OEPA website. Comments due 04/18/2011.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH032511-3	Air SIP-Ozone	03/18/2011	DAPC Website-What's New	Notice	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards [OAC 3745-21]; Low Reid Vapor Pressure Fuel Requirements [OAC 3745-72]; Nitrogen Oxides-Reasonably Available Control Technology [OAC 3745-110]</p> <p>Announces a second refiling of amended and new rules intended to assist in achieving the NAAQS for ozone through control of ozone precursors. The rules were revised based on comments received during the initial refiling on 02/28/2011. Further details regarding the proposed rules, including the synopsis and responsive summary, are available on the OEPA website.</p>	
OH032511-4	Water Water Quality	03/16/2011	DSW Website-What's New	Final Rule	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>Water Quality Standard Use Designation [OAC 3745-1]</p> <p>Adopts rulemaking revisions for beneficial use designations for selected water bodies in the state. The designation for Plum Brook did not change. Further details regarding the final rule, including the public notice and response to comments, can be found on the OEPA website. Effective 06/16/2011.</p>	

2.10 Texas State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Texas.

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT032511-1	Administration Administrative Proceedings	03/15/2011	UT Bull. Vol. 2011-6: DAR File No. 34472	Proposed Rule	<p>Utah Department of Environmental Quality Environmental Quality: Administration Procedures [UAC R305-6]</p> <p>Proposes to create a new rule to consolidate rules governing administration procedures currently found at the following:</p> <ul style="list-style-type: none"> ▪ Rule R307-103 (Air Quality) ▪ Rule R309-115 (Drinking Water) ▪ Rule R313-17 (Radiation Control) ▪ Rule R315-12 (Solid and Hazardous Waste) ▪ Rule R311-210 (Underground Storage Tanks) ▪ Rule R317-9 (Water Quality) <p>The new rule would include the following changes:</p> <ul style="list-style-type: none"> ▪ Encourage informal discovery and limit discovery to appropriate subjects (proposed Section R305-6-105). ▪ Require that for decisions to be made by an executive secretary of a board, comments must be provided to the executive secretary to preserve a commenter's right to challenge the executive secretary's decision (proposed Section R305-6-209). ▪ Specify situations in which declaratory actions should not be considered (proposed Section R305-6-302). <p>Hearing is scheduled for 04/11/2011 in Salt Lake City, Utah. Comments due 05/16/2011.</p>	

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Virginia.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA032511-1	Administration Guidance Documents	03/14/2011	27:14 V.A.R. 1718-1914	Notice	<p>State of Virginia Guidance Documents [Code of Virginia 2.2-4008 and 2.2-4103]</p> <p>As required by the Code of Virginia, the annual state agency guidance document list has been posted in the <i>Virginia Register</i>.</p>	
VA032511-2	Air SIP-Lead	03/18/2011	76 FR 14805	Notice Withdrawal	<p>U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Adoption of the Revised Lead Standards and Related Reference Conditions and Update of Appendices; Withdrawal of Direct Final Rule [40 CFR Part 52]</p> <p>Withdraws direct final rule (76 FR 4537, 01/26/2011), which approved SIP revisions due to receipt of an adverse comment. Comment will be addressed in a subsequent final action. Effective 03/18/2011.</p>	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA032511-3	Air SIP–Open Burning	03/14/2011	76 FR 13511	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Revisions to the Open Burning Regulations [40 CFR Part 52] Direct final rule recodifies the Commonwealth of Virginia's open burning regulations, 9VAC5 Chapter 130 Part 1. Comments due 04/13/2011. Effective 05/13/2011.	
VA032511-4	Natural Resources VCP	03/11/2011	VDEQ website	Notice	Virginia Department of Environmental Quality Federal Consistency Review Announces a review of proposed changes to NASA WFF's main entrance to evaluate whether the changes are consistent with the Virginia Coastal Zone Management Program. Comments due 04/08/2011.	
VA032511-5	Toxic Substances TRI	03/23/2011	VDEQ website	Notice	Virginia Department of Environmental Quality SARA Title III Program: 2009 TRI Report Announces availability of the Virginia 2009 TRI Report .	
VA032511-6	Water VPDES	03/14/2011	27:14 VA.R. 1699	Proposed Rule	Virginia Department of Environmental Quality State Water Control Board VPDES Permit for Noncontact Cooling Water Discharges [9VAC25-196] Proposes to amend and re-issue the existing permit, which expires 03/01/2013. Comments due 04/13/2011.	
VA032511-7	Water Water Quality	03/14/2011	27:14 VA.R. 1916	Notice	Virginia Department of Environmental Quality 2010 Final 305(b)/303(d) Water Quality Assessment Integrated Report Announces that the 2010 Integrated Report has been finalized. The report summarizes the water quality conditions in Virginia from 01/01/2003 through 12/31/2008. Final report, response to comments, and map images are available for review.	

2.12.1 WFF Proposes Development of Alternative Energy Sources

NASA's WFF plans to develop a solar energy facility, and to install two residential-scale wind turbines, for an additional alternative energy source. More information is available on the [WFF website](#).